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(a) Motion Required.

Any party in interest seeking to extend the automatic stay pursuant to 11 U.S.C. § 362(c)(3)(B) or to impose the stay pursuant to 11 U.S.C. § 362(c)(4)(B) must file a motion in accordance with Bankruptcy Rule 9013, thus initiating a contested matter under Bankruptcy Rule 9014.

(b) Contents.

The moving party must state whether continuation or imposition of the automatic stay is sought with respect to all creditors or only specified creditors, who must be identified by name. The moving party must also set forth facts in support of the motion, established by declarations as appropriate, showing that the filing of the present case is in good faith as to the creditors to be stayed and describing the circumstances that led to the dismissal of all prior case(s) concerning the debtor that were pending or dismissed within the past eight (8) years.

(c) Service.

Service must be on all creditors to be stayed, the United States Trustee, any trustee appointed in the case, and the debtor (if the debtor is not the moving party). Service must be in accordance with Bankruptcy Rule 7004, except as to parties who have appeared in the case (in which event Bankruptcy Rule 7005 applies) unless the court orders otherwise.

(d) Manner of Disposing of Motion.

(1) A party seeking to extend or to impose the stay may set the matter for hearing, on 14 days notice on the judge's regular relief from stay calendar, but if no hearing date which will permit 14 days notice is available within 30 days of the petition date, the moving party should comply with the judge's procedures for scheduling a special setting. For hearings on shortened time, the moving party must comply with Bankruptcy Rule 9006 and B.L.R. 9006-1.

(2) Alternatively, the moving party may utilize the "Notice and Opportunity For Hearing" procedures of B.L.R. 9014-1(b)(3). For purposes of motions made under this rule the following time periods shall replace those set forth in B.L.R. 9014-1(b)(3):

1. The time to object and request a hearing (B.L.R.-1(b)(3)(A)(i)) shall be 14 days;

1. The time for the initiating party to give written notice of a hearing date (B.L.R. 9014-1(b)(3)(A)(iv)(a)) shall be 5 days;

1. The tentative hearing date, if set in the notice (B.L.R. 9014-1(b)(3)(B)), shall be at least 7 days after the conclusion of the period for objecting parties to request a hearing; and

1. If there is a timely objection or request for hearing, or if the assigned bankruptcy judge has required that the motion be set for actual hearing, as provided in (d)(3) below, then the time for the initiating party to file and serve notice of an actual hearing (B.L.R. 9014-1(b)(3)(B)) shall be 5 days.

(3) The assigned bankruptcy judge may require that any motion to continue or to impose the automatic stay be set for actual hearing, even if the moving party has utilized the procedures set forth in section (d)(2) hereof, and no party has objected or requested a hearing.

(e) Opposition and Hearing.

When a moving party proceeds under (d)(1), any opposition may be presented in writing, prior to or at the hearing, or orally, at the hearing. When a moving party proceeds under (d)(2), any responsive pleadings, points and authorities, and declarations for any hearing must be filed with the objection or request for hearing. The hearing on a motion to continue the automatic stay must be completed no later than 30 days after the petition date. See 11 U.S.C. § 362(c)(3)(B).

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